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Paper 12
Entered: 10 February 2009

UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference 105,628 McK
Technology Center 2800

MICHAEL SASGES,

Application 09/846,682,
Junior Party,

v.

**CARL C. PETERSEN, FREDERICK L. GLESIUS,
GREGGORY A. SCHNEIDER and LEO R. LOMBARDO,**

Patent 6,057,917,
Senior Party.

*Before: FRED E. McKELVEY, Senior Administrative Patent Judge,
and RICHARD E. SCHAFER and SALLY GARDNER LANE,
Administrative Patent Judges.*

McKELVEY, Senior Administrative Patent Judge.

JUDGMENT

Upon consideration of SASGES MISCELLANEOUS MOTION 1
(Paper 10), including the express abandonment accompanying the
motion, and treating the motion and express abandonment as a
request for entry of adverse judgment (37 C.F.R. § 127(2)(b) (2008)),
it is

1 ORDERED that judgment on priority as to Count 1 (the
2 sole count in the interference; Paper 1, page 8) is awarded against
3 Junior Party Michael Sasges (real party in interest Trojan
4 Technologies, Inc.).

5 FURTHER ORDERED that Junior Party Michael Sasges
6 (real party in interest Trojan Technologies, Inc.) is not entitled to a
7 patent containing claims 1-21 (corresponding to Count 1) of:

8 application 09/846,682
9 filed 02 May 2001
10

11 FURTHER ORDERED that claims 1-21 of application
12 09/846,682 are finally refused. 35 U.S.C. § 135(a).

13 FURTHER ORDERED that if there is a settlement
14 agreement, attention is directed to 35 U.S.C. § 135(c).

15 FURTHER ORDERED that a copy of this JUDGMENT
16 shall be placed in the files of (1) application 09/846,682 and (2) U.S.
17 Patent 6,057,917.

18 FURTHER ORDERED that the Clerk is directed to
19 distribute the files upon entry of this JUDGMENT.

1 105,628
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